

STATE OF CALIFORNIA
FISH AND GAME COMMISSION
FINAL STATEMENT OF REASONS FOR REGULATORY ACTION

Amend Section 555
Title 14, California Code of Regulations
Re: Cooperative Elk Hunting Areas

- I. Date of Initial Statement of Reasons: December 15, 2009
- II. Date of Pre-adoption Statement of Reasons: March 20, 2010
- III. Date of Final Statement of Reasons: April 27, 2010
- IV. Dates and Locations of Scheduled Hearings:
- | | | | |
|-----|--------------------|-----------|------------------------|
| (a) | Notice Hearing: | Date: | February 4, 2010 |
| | | Location: | Sacramento, California |
| (b) | Discussion Hearing | Date: | March 4, 2010 |
| | | Location: | Ontario, California |
| (c) | Discussion Hearing | Date: | April 8, 2010 |
| | | Location: | Monterey, California |
| (d) | Adoption Hearing: | Date: | April 21, 2010 |
| | | Location: | Teleconference |
- V. Update:
- No modifications were made to the originally proposed language of the Initial Statement of Reasons.
- VI. Summary of Primary Considerations Raised in Support of or Opposition to the Proposed Actions and Reasons for Rejecting those considerations:
- Four comments were received in letters and e-mails: Rick Klug (Roseburg Resources), Mike Ford (Rocky Mountain Elk Foundation), Rich Klug (Siskiyou County Fish and Game Commission), and Steve Hensen (Roseburg Resources). They all indicated they would like some type of preference point system to keep track of cooperative landowner elk tags. In an attempt to issue tags in an equitable manner the Department is implementing an amendment which imposes a one year of non-eligibility for previously successful applicants for cooperative elk hunts with more applicants than tags.

VII. Location and Index of Rulemaking File:

A rulemaking file with attached file index is maintained at:
California Fish and Game Commission
1416 Ninth Street
Sacramento, California 95814

VIII. Location of Department files:

Department of Fish and Game
1416 Ninth Street
Sacramento, California 95814

IX. Description of Reasonable Alternatives to Regulatory Action:

(a) Alternatives to Regulatory Action:

1. Distribution of tags for Cooperative Elk Hunting Areas

An alternative would be to implement a preference point system for cooperative elk tags.

(b) No change Alternative:

1. Distribution of tags for Cooperative Elk Hunting Areas

The no-change alternative was considered and rejected because it would not be equitable to those landowners failing to draw tags.

(c) Consideration of Alternatives: In view of information currently possessed, no reasonable alternative considered would be more effective in carrying out the purposes for which the regulation is proposed or would be as effective and less burdensome to the affected private persons than the proposed regulation.

X. Impact of Regulatory Action:

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following determinations relative to the required statutory categories have been made:

(a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with

Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. Considering the small number of tags issued over the entire state, this proposal is economically neutral to business.

- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California:

None

- (c) Cost Impacts on a Representative Private Person or Business:

None

- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

None

- (e) Nondiscretionary Costs/Savings to Local Agencies:

None

- (f) Programs mandated on Local Agencies or School Districts:

None

- (g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4:

None

- (h) Effect on Housing Costs:

None

Updated Informative Digest/Policy Statement Overview

Existing regulations specify that the Department will issue tags by random drawing from the pool of qualified applicants. In recent years for many of the cooperative elk hunts the number of applicants has exceeded the number of available tags. In an attempt to issue tags in an equitable manner the proposed amendment implements one year of non-eligibility for previously successful applicants for cooperative elk hunts with more applicants than tags.

No other modifications to the original proposal were made. Pursuant to its April 21, 2010 meeting, the Fish and Game Commission adopted the above referenced changes.